

AMENDED IN SENATE MAY 26, 2006

AMENDED IN SENATE MAY 3, 2006

AMENDED IN SENATE MARCH 30, 2006

**SENATE BILL**

**No. 1124**

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**Introduced by Senator Torlakson**

January 4, 2006

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An act to amend Sections 24214, 44395, 44830, 69612, 69613, 70000, 70001, 70002, 70003, and 70004 of, to add and repeal Article 5 (commencing with Section 90540) to Chapter 11 of Part 55, and to repeal Section 70005 of, the Education Code, relating to teacher development, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 1124, as amended, Torlakson. Teachers: recruitment, training, and retention.

(1) Existing law establishes the State Teachers' Retirement Plan and permits a retired member of the State Teachers' Retirement Plan to perform specified types of service without reduction in his or her retirement allowance and without reinstatement if the compensation for that service, in any one school year, does not exceed \$22,000, adjusted annually by the Teachers' Retirement Board by the percentage increase in the average earnable salary of active members of the Defined Benefit Program, as specified.

This bill would exempt from that postretirement compensation limitation a member retired for service if he or she is retired for a period of at least 6 months, as specified, and agrees to serve, on an annual renewable contract, as a mentor in a high-priority school, as defined. *The bill would limit the exemption to a total of 3 school years*

*and would make the exemption available only until the end of the 2014–15 school year.*

(2) Existing law establishes the National Board for Professional Teaching Standards Certification Incentive Program to award grants to teachers who, among other things, have attained certification from the National Board for Professional Teaching Standards. Under the program, a teacher attaining a national board certification is eligible for an award of up to \$20,000 if he or she agrees to teach at a high-priority school for at least 4 years.

This bill, to the extent that funds are appropriated for this purpose in the annual Budget Act, and in order to defray the expense of attaining certification from the National Board for Professional Teaching Standards, would authorize the State Department of Education to provide state ~~and federal~~ funds to school districts for the purpose of ~~providing awards to~~ *paying the fees of* teachers who seek that certification, are employed by school districts or charter schools, and are assigned to teach in California public schools.

(3) Existing law requires the Commission on Teacher Credentialing to establish standards and procedures for the initial issuance and renewal of credentials, and prohibits the commission from initially issuing a credential, permit, certificate, or renewal of an emergency credential to a person unless that person passes the state basic skills proficiency test administered by the commission. Existing law exempts a certificated person from taking the state basic skills proficiency test if they were employed in a position requiring certification in any school district within 39 months prior to employment with the district or if he or she is a retired certificated employee who meets specified requirements.

This bill would delete those provisions and instead provide that a certificated person is not required to take the state basic skills proficiency test if he or she has taken and passed it at least once or possessed a credential prior to the enactment of the statute that made the test a requirement.

(4) Existing law establishes the Governor's Teaching ~~Fellowship~~ *Fellowships* Program, which is administered by the Chancellor's ~~office~~ *Office* of the California State University. Existing law specifies the number and amount of nonrenewable graduate teaching fellowships that are to be awarded in January 2001, in September 2001, and during the 2001–02 fiscal year. Existing law requires, commencing with the 2002–03 fiscal year and each fiscal year

thereafter, the number of fellowships awarded to be determined pursuant to an appropriation in the annual Budget Act. Existing law imposes on the chancellor's office specified duties relating to the operation of the fellowship program.

Existing law establishes an intersegmental review committee to review all fellowship applications. Existing law also requires a fellowship recipient to agree to teach in a high-priority school for 4 consecutive years, within 4 years of the completion of his or her preparation program, and to repay the state \$5,000 annually, up to \$20,000, for each year he or she fails to complete the teacher preparation program or the required teaching service.

This bill would instead require the Student Aid Commission to administer the program, *as specified*, and collaborate with the University of California, the California State University, the California Community Colleges, the Association of Independent California Colleges and Universities, the State Department of Education, and the Commission on Teacher Credentialing to ensure that access to the fellowship is available to specified students. The bill would require, in January 2007, 250 nonrenewable graduate teaching fellowships, in the amount of \$20,000 each, be awarded, as specified. The bill would require, during the 2007–08 fiscal year, ~~1,000~~ 500 nonrenewable graduate teaching fellowships to be awarded, as specified. The bill would require, commencing with the 2008–09 fiscal year and each fiscal year thereafter, the number of fellowships awarded to be determined pursuant to an appropriation in the annual Budget Act.

~~The bill would impose specified duties relating to the operation of the fellowship program on the Student Aid Commission. The bill would require specified educational entities and, to the extent that it chooses to, the University of California, to establish a review and selection committee, as specified. The bill would prohibit a University of California student from receiving a fellowship award unless the University of California establishes a review and selection committee, as specified.~~*The bill would require the intersegmental review committee to recommend teaching fellowship candidates to the Student Aid Commission rather than the Chancellor's Office of the California State University and would reduce the number of the members on the committee from 12 to 9, as specified.* The bill would require a fellowship recipient to agree to teach in a high-priority school for 3 consecutive years within 4 years of the completion of his

or her preparation program, and would require the recipient to forfeit any future payments if he or she fails to complete any portion of his or her obligation to teach in a high-priority school for 3 years. *The bill also would require that the nonperformance by a fellowship recipient of his or her commitment to teach in a high-priority school for 3 years be certified to the Student Aid Commission rather than having the Commission on Teacher Credentialing certify that fact to the chancellor's office.*

The bill would require the Student Aid Commission to provide an annual report to the Legislature on the fellowship program, as specified. The bill would delete the provisions authorizing the chancellor's office to adopt any rules and regulations it deems necessary for the administration of the program and recovery of funds. The bill would also delete the requirement that the rules and regulations include a provision that authorizes a specified civil penalty on a fellowship award recipient for failing to fulfill his or her obligation to teach in a high-priority school, as specified.

(5) Existing law establishes the California Center on Teaching Careers for the purposes of recruiting qualified and capable individuals into the teaching profession. Existing law requires the California Center on Teaching Careers to perform specified duties, including, among others, creating or expanding a referral database for qualified teachers seeking employment in the public schools.

This bill would establish the California Teacher Cadet Program ~~and~~ to be operated by the California Center on Teaching Careers in conjunction with the Superintendent of Public Instruction and the Chancellor of the California State University. The bill would require the California Center on Teaching Careers to develop a grant program that assists school districts in offering yearlong coursework designed to expose pupils to teaching careers and the education system through the development of a hands-on curriculum that includes specified elements. The bill would require a school district that participates in the California Teacher Cadet Program to receive, from funds appropriated for that purpose, a one-time grant of up to \$5,000 for the startup of the program at its schoolsite, as specified. The bill, subject to the availability of funding, would require the ~~Commission on Teacher Credentialing~~ *California State University* to contract for an evaluation of this program and report to the Legislature, as specified, no later than January 1, 2010.

This bill would repeal the California Teacher Cadet Program on January 1, 2015.

(6) The bill would make an appropriation of \$500,000 from the General Fund for the 2006–07 fiscal year for purposes relating to the California Teacher Cadet Program and would provide that for the purposes of making computations required by Section 8 of Article XVI of the California Constitution, the appropriation would be deemed to be “General Fund revenues appropriated to school districts,” as defined in existing law, for the 2006–07 fiscal year and would be included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in existing law, for the 2006–07 fiscal year.

(7) The bill would make related legislative findings and declarations, and declare the intent of the Legislature, as specified. The bill would also make conforming changes in related provisions of existing law.

Vote: majority. Appropriation: yes. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. (a) The Legislature finds and declares all of the  
2 following:

3 (1) Today, more than 20,000 teachers in California are still  
4 underprepared and each day more than 400,000 pupils are being  
5 shortchanged by the serious lack of investment in recruiting,  
6 training, and retaining qualified teachers.

7 (2) The shortage of qualified classroom teachers is growing  
8 throughout California, with recent teacher retirement and attrition  
9 projections indicating that California will need to recruit, train,  
10 and retain nearly ~~237,000~~ 100,000 new teachers over the next 10  
11 years.

12 (3) The problem is particularly acute in low-performing,  
13 high-priority schools where a significant number of pupils fail to  
14 meet rigorous state and federal academic performance standards.

15 (4) The rising costs of higher education, coupled with the shift  
16 in available financial aid from scholarships and grants to loans,  
17 has placed an increasing burden of long-term debt upon pupils.  
18 As a result, loan repayment options have become an increasingly

1 important consideration in a pupil's decision to pursue a  
2 postsecondary education, especially for those pupils who are  
3 considering a career in teaching, which is not as lucrative as  
4 many private sector professions.

5 (5) The availability of financial aid and loan repayment  
6 assistance are particularly important to economically  
7 disadvantaged pupils when making their educational and career  
8 decisions.

9 (6) Recent research shows that teachers are more likely to be  
10 attracted to, and be more successful in schools that resemble the  
11 communities from which they came. The acute need for quality  
12 teachers in high-priority schools and districts is partly due to a  
13 lack of pupils from these communities entering the teaching  
14 profession.

15 (7) Quality teacher preparation programs, intensive  
16 professional development, proper support, and critical  
17 assessment during the beginning years of a teacher's career, are  
18 crucial to teacher quality and retention.

19 (b) It is the intent of the Legislature, in addition to the  
20 provisions of this act, to do all of the following:

21 (1) To enact a program that assigns willing teachers who have  
22 attained certification from the National Board for Professional  
23 Teaching Standards to high-priority schools, defined as schools  
24 ranked in any of deciles 1 to 3, inclusive, of the Academic  
25 Performance Index, as part of the program improvement plans  
26 for those schools.

27 (2) To create a competitive grant program for institutions of  
28 higher education to collaborate with schools and local  
29 educational agencies in order to create and implement  
30 professional development schools for teacher education. The  
31 criteria for grant program awards shall include all of the  
32 following:

33 (A) Preference for projects that incorporate into their plan,  
34 schools that include any or all of kindergarten and grades 1 to 12,  
35 inclusive, and that are ranked in deciles 1 to 3, inclusive, of the  
36 Academic Performance Index.

37 (B) Novice teachers shall be offered extensive hands-on  
38 experience in the classroom alongside experienced teachers,  
39 exposure to demonstration teachers, and consistent ongoing  
40 contact with informal mentors.

1 (C) Preference for projects that share the responsibility for  
2 new teacher education by highlighting the collaboration between  
3 the faculty of institutions of higher education and the personnel  
4 of any school that includes any or all of kindergarten and grades  
5 1 to 12, inclusive.

6 SEC. 2. Section 24214 of the Education Code, as amended by  
7 Section 24 of Chapter 351 of the Statutes of 2005, is amended to  
8 read:

9 24214. (a) A member retired for service under this part may  
10 perform the activities identified in paragraphs (1) to (9),  
11 inclusive, of subdivision (a), or subdivision (b), of Section  
12 22119.5 as an employee of an employer, as an employee of a  
13 third party, or as an independent contractor within the California  
14 public school system, but the member may not make  
15 contributions to the retirement fund or accrue service credit based  
16 on compensation earned from that service.

17 (b) The rate of pay for service performed by a member retired  
18 for service under this part as an employee of the employer may  
19 not be less than the minimum, nor exceed that paid by the  
20 employer to other employees performing comparable duties.

21 (c) A member retired for service under this part may not be  
22 required to reinstate for performing the activities identified in  
23 paragraphs (1) to (9), inclusive, of subdivision (a), or subdivision  
24 (b), of Section 22119.5, as an employee of an employer, as an  
25 employee of a third party, or as an independent contractor within  
26 the California public school system.

27 (d) A member retired for service under this part may earn  
28 compensation for performing activities identified in paragraphs  
29 (1) to (9), inclusive, of subdivision (a), or subdivision (b), of  
30 Section 22119.5 in any one school year up to the limitation  
31 specified in subdivision (f) as an employee of an employer, as an  
32 employee of a third party, or an independent contractor, within  
33 the California public school system, without a reduction in his or  
34 her retirement allowance.

35 (e) (1) The postretirement compensation limitation provisions  
36 set forth in this section are not applicable to compensation earned  
37 by a member retired for service under this part who has returned  
38 to work after the date of retirement and has not, for a period of at  
39 least 12 consecutive months, performed the activities identified  
40 in paragraphs (1) to (9), inclusive, of subdivision (a), or

1 subdivision (b), of Section 22119.5 as an employee of an  
2 employer, as an employee of a third party, or as an independent  
3 contractor within the California public school system. For ~~the~~  
4 ~~purpose~~ purposes of this paragraph, the period of 12 consecutive  
5 months begins from the effective date of the most recent  
6 retirement of the member.

7 (2) The postretirement compensation limitation provisions set  
8 forth in this section are not applicable to compensation earned for  
9 the performance of the activities described in subdivision (a) for  
10 which the employer is not eligible to receive state apportionment  
11 or to compensation that is not creditable pursuant to Section  
12 22119.2.

13 (f) (1) The limitation that shall apply to the compensation for  
14 performance of the activities identified in paragraphs (1) to (9),  
15 inclusive, of subdivision (a), or subdivision (b), of Section  
16 22119.5 by a member retired for service under this part either as  
17 an employee of an employer, an employee of a third party, or as  
18 an independent contractor, shall, in any one school year, be an  
19 amount calculated by the board each July 1 equal to twenty-two  
20 thousand dollars (\$22,000) adjusted by the percentage change in  
21 the average compensation earnable of active members of the  
22 Defined Benefit Program, as determined by the system, from the  
23 1998–99 fiscal year to the fiscal year ending in the previous  
24 calendar year.

25 (2) The postretirement compensation limitation set forth in  
26 paragraph (1) shall not apply to a member retired for service  
27 under this part, for a period of at least six consecutive months,  
28 who agrees to serve, on an annual renewable contract, as a  
29 mentor in a high-priority school. *However, a member retired for*  
30 *service shall not use this exemption for more than a total of three*  
31 *school years.*

32 (A) For ~~the purpose~~ purposes of this paragraph, the period of  
33 six consecutive months begins on the effective date of the  
34 member's most recent retirement.

35 (B) For ~~the purpose~~ purposes of this paragraph, a  
36 "high-priority school" means a school as defined in subdivision  
37 (b) of Section 70001.

38 (g) If a member retired for service under this part earns  
39 compensation for performing activities identified in paragraphs  
40 (1) to (9), inclusive, of subdivision (a), or subdivision (b), of

1 Section 22119.5 in excess of the limitation specified in  
2 subdivision (f), as an employee of an employer, as an employee  
3 of a third party, or as an independent contractor, within the  
4 California public school system, and if that compensation is not  
5 exempt from that limitation under subdivision (e) or any other  
6 provisions of law, the member's retirement allowance shall be  
7 reduced by the amount of the excess compensation. The amount  
8 of the reduction may be equal to the monthly allowance payable  
9 but shall not exceed the amount of the annual allowance payable  
10 under this part for the fiscal year in which the excess  
11 compensation was earned.

12 (h) The amendments to this section enacted during the  
13 1995–96 Regular Session shall be deemed to have become  
14 operative on July 1, 1996.

15 (i) This section shall be repealed on January 1, 2008, unless  
16 later enacted legislation extends or deletes that date.

17 SEC. 3. Section 24214 of the Education Code, as amended by  
18 Section 23 of Chapter 912 of the Statutes of 2004, is amended to  
19 read:

20 24214. (a) A member retired for service under this part may  
21 perform the activities identified in paragraphs (1) to (9),  
22 inclusive, of subdivision (a), or subdivision (b), of Section  
23 22119.5 as an employee of an employer, as an employee of a  
24 third party, or as an independent contractor within the California  
25 public school system, but the member may not make  
26 contributions to the retirement fund or accrue service credit based  
27 on compensation earned from that service.

28 (b) The rate of pay for service performed by a member retired  
29 for service under this part as an employee of the employer may  
30 not be less than the minimum, nor exceed that paid by the  
31 employer to other employees performing comparable duties.

32 (c) A member retired for service under this part may not be  
33 required to reinstate for performing the activities identified in  
34 paragraphs (1) to (9), inclusive, of subdivision (a), or subdivision  
35 (b), of Section 22119.5, as an employee of an employer, as an  
36 employee of a third party, or as an independent contractor within  
37 the California public school system.

38 (d) A member retired for service under this part may earn  
39 compensation for performing activities identified in paragraphs  
40 (1) to (9), inclusive, of subdivision (a), or subdivision (b), of

1 Section 22119.5 in any one school year up to the limitation  
2 specified in subdivision (f) as an employee of an employer, as an  
3 employee of a third party, or an independent contractor, within  
4 the California public school system, without a reduction in his or  
5 her retirement allowance.

6 (e) The postretirement compensation limitation provisions set  
7 forth in this section are not applicable to compensation earned for  
8 the performance of the activities described in subdivision (a) for  
9 which the employer is not eligible to receive state apportionment  
10 or to compensation that is not creditable pursuant to Section  
11 22119.2.

12 (f) (1) The limitation that shall apply to the compensation for  
13 performance of the activities identified in paragraphs (1) to (9),  
14 inclusive, of subdivision (a), or subdivision (b), of Section  
15 22119.5 by a member retired for service under this part either as  
16 an employee of an employer, an employee of a third party, or as  
17 an independent contractor, shall, in any one school year, be an  
18 amount calculated by the board each July 1 equal to twenty-two  
19 thousand dollars (\$22,000) adjusted by the percentage change in  
20 the average compensation earnable of active members of the  
21 Defined Benefit Program, as determined by the system, from the  
22 1998–99 fiscal year to the fiscal year ending in the previous  
23 calendar year.

24 (2) The postretirement compensation limitation set forth in  
25 paragraph (1) shall not apply to a member retired for service  
26 under this part, for a period of at least six consecutive months,  
27 who agrees to serve , *on an annual renewable contract*, as a  
28 mentor in a high-priority school. *However, a member retired for*  
29 *service shall not use this exemption for more than a total of three*  
30 *school years, and the exemption shall not be available after the*  
31 *2014–15 school year.*

32 (A) For purposes of this paragraph, the period of six  
33 consecutive months begins on the effective date of the member's  
34 most recent retirement.

35 (B) For purposes of this paragraph, a "high-priority school"  
36 means a school as defined in subdivision (b) of Section 70001.

37 (g) If a member retired for service under this part earns  
38 compensation for performing activities identified in paragraphs  
39 (1) to (9), inclusive, of subdivision (a), or subdivision (b), of  
40 Section 22119.5 in excess of the limitation specified in

subdivision (f), as an employee of an employer, as an employee of a third party, or as an independent contractor, within the California public school system, the member's retirement allowance shall be reduced by the amount of the excess compensation. The amount of the reduction may be equal to the monthly allowance payable but may not exceed the amount of the annual allowance payable under this part for the fiscal year in which the excess compensation was earned.

(h) The language of this section derived from the amendments to the section of this number added by Chapter 394 of the Statutes of 1995, enacted during the 1995–96 Regular Session, is deemed to have become operative on July 1, 1996.

(i) This section shall become operative on January 1, 2008.

SEC. 4. Section 44395 of the Education Code is amended to read:

44395. (a) The National Board for Professional Teaching Standards Certification Incentive Program is hereby established to award grants to school districts for the purpose of providing awards to teachers who are employed by school districts or charter schools, are assigned to teach in California public schools, and have attained certification from the National Board for Professional Teaching Standards. Awards shall be granted to the extent that funds have been appropriated for this purpose in the annual Budget Act.

(1) Any teacher who has attained certification from the National Board for Professional Teaching Standards is eligible to receive an award of up to twenty thousand dollars (\$20,000) if he or she agrees to teach at a high-priority school for at least four years. Teaching service before July 1, 2000, may not be counted towards satisfaction of this four-year commitment.

(2) Awards granted pursuant to this subdivision shall be disbursed in annual payments of five thousand dollars (\$5,000) over a four-year period. The annual payment shall be made upon completion of the school year, and upon approval of a district-certified application pursuant to the guidelines of subdivision (c) of Section 44396.

(b) In order to defray the expense of attaining certification from the National Board for Professional Teaching Standards, ~~state and federal~~ funds shall be provided to school districts for the purpose of ~~providing awards to~~ *paying the fees of* teachers

1 who seek certification, are employed by school districts or  
2 charter schools, and are assigned to teach in California public  
3 schools. ~~Awards-Fee support~~ shall be granted to the extent that  
4 funds have been appropriated for this purpose in the annual  
5 Budget Act.

6 (c) The department shall administer the awards authorized by  
7 subdivisions (a) and (b), and shall develop, in consultation with  
8 the commission, certification and award information, criteria,  
9 procedures, and applications, all of which shall be submitted to  
10 the state board for approval. Amendments requested by the state  
11 board to that information, criteria, procedures, and applications  
12 shall be made before the dissemination of the material and the  
13 granting of any award under this article.

14 (d) The department shall distribute the materials described in  
15 subdivision (c) to school districts. Each school district is strongly  
16 encouraged to ensure that teachers employed by the district or by  
17 charter schools affiliated with the district are informed about the  
18 program and can acquire the necessary application and  
19 information materials.

20 (e) School districts are encouraged to provide for adequate  
21 release time and support for a teacher to complete the  
22 certification process. As a condition to providing that release  
23 time and support, a school district may require that a teacher  
24 serve in a mentor teacher capacity.

25 (f) For purposes of this article, the following definitions apply:

26 (1) "School district" means *a* school district, *a* county board of  
27 education, *a* county superintendent of schools, *a* state operated  
28 program, including a special school, or an education program  
29 providing instruction in kindergarten or any of grades 1 to 12,  
30 inclusive, that is offered by a state agency, including the Division  
31 of Juvenile Justice of the Department of Corrections and  
32 Rehabilitation and the State Department of Developmental  
33 Services.

34 (2) "High-priority school" means a school ranked in deciles 1  
35 to 3, inclusive, of the Academic Performance Index rankings  
36 established pursuant to subdivision (a) of Section 52056. This  
37 designation shall be determined as of the date of the agreement  
38 by the teacher described in paragraph (1) of subdivision (a).

39 SEC. 5. Section 44830 of the Education Code is amended to  
40 read:

1 44830. (a) The governing board of a school district shall  
2 employ in positions requiring certification qualifications, only  
3 persons who possess the qualifications therefor prescribed by  
4 law. It is contrary to the public policy of this state for any person  
5 or persons charged, by the governing boards, with the  
6 responsibility of recommending persons for employment by the  
7 boards to refuse or to fail to do so for reasons of race, color,  
8 religious creed, sex, or national origin of the applicants for that  
9 employment.

10 (b) A school district governing board shall not initially hire on  
11 a permanent, temporary, or substitute basis a certificated person  
12 seeking employment in the capacity designated in his or her  
13 credential, unless that person has demonstrated basic skills  
14 proficiency as provided in Section 44252.5 or is exempted from  
15 the requirement by subdivision (c), (d), (e), (f), (g), (h), (i), (j),  
16 (k), (l), or (m).

17 (1) The governing board of a school district, with the  
18 authorization of the commission, may administer the state basic  
19 skills proficiency test required under Sections 44252 and  
20 44252.5.

21 (2) The Superintendent, in conjunction with the commission  
22 and local governing boards, shall take steps necessary to ensure  
23 the effective implementation of this subdivision.

24 It is the intent of the Legislature that in effectively  
25 implementing this subdivision, school district governing boards  
26 shall direct superintendents of schools to prepare for emergencies  
27 by developing a pool of qualified emergency substitute teachers.  
28 This preparation shall include public notice of the test  
29 requirements and of the dates and locations of administrations of  
30 the tests. District governing boards shall make special efforts to  
31 encourage individuals who are known to be qualified in other  
32 respects as substitutes to take the state basic skills proficiency  
33 test at its earliest administration.

34 (3) Demonstration of proficiency in reading, writing, and  
35 mathematics by any person pursuant to Section 44252 satisfies  
36 the requirements of this subdivision.

37 (c) A certificated person is not required to take the state basic  
38 skills proficiency test if he or she has taken and passed it at least  
39 once or he or she possessed a credential prior to the enactment of  
40 the statute that made the test a requirement.

1 (d) This section does not require a person employed solely for  
2 purposes of teaching adults in an apprenticeship program,  
3 approved by the Division of Apprenticeship Standards of the  
4 Department of Industrial Relations, to pass the state proficiency  
5 assessment instrument as a condition of employment.

6 (e) This section does not require the holder of a child care  
7 permit or a permit authorizing service in a development center  
8 for the handicapped to take the state basic skills proficiency test,  
9 so long as the holder of the permit is not required to have a  
10 baccalaureate degree.

11 (f) This section does not require the holder of a credential  
12 issued by the commission who seeks an additional credential or  
13 authorization to teach, to take the state basic skills proficiency  
14 test.

15 (g) This section does not require the holder of a credential to  
16 provide service in the health profession to take the state basic  
17 skills proficiency test, if that person does not teach in the public  
18 schools.

19 (h) If the state basic skills proficiency test is not administered  
20 at the time of hiring, the holder of a vocational designated subject  
21 credential who has not already taken and passed the state basic  
22 skills proficiency test may be hired on the condition that he or  
23 she will take the test at its next local administration.

24 (i) If the holder of a vocational designated subject credential  
25 does not pass a proficiency assessment in basic skills pursuant to  
26 this section, he or she shall be given one year in which to retake  
27 and pass the proficiency assessment in basic skills. If at the  
28 expiration of the one-year period he or she has not passed the  
29 proficiency assessment in basic skills, he or she shall be subject  
30 to dismissal under procedures established in Article 3  
31 (commencing with Section 44930).

32 (j) This section does not require the holder of a vocational  
33 designated subject credential to pass the state basic skills  
34 proficiency test as a condition of employment. The governing  
35 board of each school district, or each governing board of a  
36 consortium of school districts, or each governing board involved  
37 in a joint powers agreement, that employs the holder of a  
38 vocational designated subject credential shall establish its own  
39 basic skills proficiency for these credentials and shall arrange for  
40 those individuals to be assessed. The basic skills proficiency

1 criteria established by the governing board shall be at least  
2 equivalent to the test required by the district, or in the case of a  
3 consortium or a joint powers agreement, by any of the  
4 participating districts, for graduation from high school. The  
5 governing board or boards may charge a fee to individuals being  
6 tested to cover the costs of the test, including the costs of  
7 developing, administering, and grading the test.

8 (k) This section does not require the holder of an adult  
9 education designated subject credential for other than academic  
10 subjects, who is employed in an instructional setting for 20 hours  
11 or less per week, to pass the state proficiency assessment as a  
12 condition of employment.

13 (l) This section does not require certificated personnel  
14 employed under a foreign exchange program to take the state  
15 basic skills proficiency test. The maximum period of exemption  
16 under this subdivision shall be one year.

17 (m) Notwithstanding any other law, a school district may hire  
18 a certificated teacher who has not taken the state basic skills  
19 proficiency test if that person has not yet been afforded the  
20 opportunity to take the test. The person shall take the test at the  
21 earliest opportunity and may remain employed by the district  
22 pending the receipt of his or her test results.

23 SEC. 6. Section 69612 of the Education Code is amended to  
24 read:

25 69612. (a) The Legislature finds and declares all of the  
26 following:

27 (1) There is a growing shortage of high-quality classroom  
28 teachers, and there is a need for qualified teachers throughout  
29 California.

30 ~~(2) One of the most important elements in a pupil's success at~~  
31 ~~learning is the quality of the teacher.~~

32 (2) *A quality teacher is one of the most important elements in*  
33 *the success of a pupil.*

34 (3) The teacher shortage is most serious in particular subject  
35 areas, partly due to the shortage of students in these fields who  
36 enter the teaching profession.

37 (4) Many school districts have difficulty recruiting and  
38 retaining high-quality teachers for high-priority schools, for  
39 pupils with special needs, for schools serving rural areas or large  
40 populations of pupils from low-income and linguistic minority

1 families, and for schools with a high percentage of teachers  
2 holding emergency permits.

3 (5) The rising costs of higher education, coupled with a shift in  
4 available financial aid from scholarships and grants to loans,  
5 make loan repayment options an important consideration in a  
6 student's decision to pursue a postsecondary education.

7 (6) The availability of financial aid and loan repayment  
8 assistance are important considerations for many students,  
9 especially economically disadvantaged students, in making their  
10 educational decisions.

11 (b) It is, therefore, the intent of the Legislature that all of the  
12 following occur:

13 (1) The Assumption Program of Loans for Education be  
14 designed to encourage persons to enter into the teaching  
15 profession in designated subject matter shortage areas and in  
16 schools serving large populations of pupils from low-income  
17 families, schools serving rural areas, schools with a high  
18 percentage of teachers holding emergency permits, or schools  
19 with any or all of these characteristics.

20 (2) That the enactment of this article accomplish all of the  
21 following:

22 (A) Providing outstanding postsecondary students, particularly  
23 economically disadvantaged students, with the assurance of  
24 financial assistance to encourage them to complete postsecondary  
25 education programs leading to teaching credentials, and to seek  
26 employment as teachers.

27 (B) Identifying subject matter areas or schools in which there  
28 are shortages of fully credentialed teachers and provide  
29 incentives for persons to obtain teaching credentials and seek  
30 teaching positions in those areas.

31 (C) Identifying schools serving rural areas, schools serving  
32 large populations of students from low-income families, or both,  
33 and schools with a high percentage of teachers holding  
34 emergency permits, and provide incentives for persons to obtain  
35 teaching credentials and seek teaching positions in those schools.

36 (D) Identifying high-priority schools and provide incentives  
37 for persons to obtain teaching credentials and seek teaching  
38 positions in those schools. For purposes of this article,  
39 "high-priority school" means a school ranked in the deciles of 1  
40 to 3, inclusive, of the Academic Performance Index rankings

1 established pursuant to subdivision (a) of Section 52056 at the  
2 time that a teacher is hired.

3 (3) Commencing with the 2000–01 school year, all persons  
4 eligible to enter into agreements for loan assumption pursuant to  
5 this article shall be persons who need to complete training or  
6 coursework in order to be fully credentialed, and who agree to  
7 obtain a credential and teach in a designated subject matter  
8 shortage area or in a school that, at the time that the teacher is  
9 hired, meets any of the following criteria:

10 (A) Serves a large population of pupils from low-income  
11 families.

12 (B) Has a high percentage of teachers holding emergency  
13 permits. For the purposes of this article, a school with a “high  
14 percentage of teachers holding emergency permits” is a school in  
15 which 20 percent or more of the teachers hold emergency  
16 permits, teach pursuant to waivers of credential requirements, or  
17 are interns.

18 (C) Is a high-priority school.

19 (4) Funding necessary for the administration of this article  
20 shall be included within the annual budget of the commission in  
21 an amount necessary to meet the student loan obligations  
22 incurred by the commission.

23 SEC. 7. Section 69613 of the Education Code is amended to  
24 read:

25 69613. (a) (1) Any person enrolled in an eligible institution  
26 may be eligible to enter into an agreement for loan assumption,  
27 to be redeemed pursuant to Section 69613.2 upon becoming  
28 employed as a teacher. In order to be eligible to enter into an  
29 agreement for loan assumption, an applicant shall satisfy all of  
30 the conditions specified in subdivision (b).

31 (2) As used in this article, “eligible institution” means a  
32 postsecondary institution that is determined by the Student Aid  
33 Commission to meet both of the following requirements:

34 (A) The institution is eligible to participate in state and federal  
35 financial aid programs.

36 (B) The institution maintains a program of professional  
37 preparation that has been approved by the Commission on  
38 Teacher Credentialing.

39 (b) (1) The applicant has completed at least 60 semester units,  
40 or the equivalent, and is enrolled in an academic program leading

1 to a baccalaureate degree at an eligible institution, or has been  
2 admitted to a program of professional preparation that has been  
3 approved by the Commission on Teacher Credentialing.

4 (2) The applicant is currently enrolled, or has been admitted to  
5 a program in which he or she will be enrolled on at least a  
6 half-time basis, as determined by the participating institution.  
7 The applicant shall agree to maintain satisfactory academic  
8 progress and a minimum of half-time enrollment, as defined by  
9 the participating eligible institution.

10 (3) The applicant has been judged by his or her postsecondary  
11 institution to have outstanding ability on the basis of criteria that  
12 may include, but need not be limited to, any of the following:

13 (A) Grade point average.

14 (B) Test scores.

15 (C) Faculty evaluations.

16 (D) Interviews.

17 (E) Other recommendations.

18 (4) The applicant has received, or is approved to receive, a  
19 loan under one or more of the following designated loan  
20 programs:

21 (A) The Federal Family Education Loan Program (20 U.S.C.  
22 Sec. 1071 et seq.).

23 (B) Any loan program approved by the Student Aid  
24 Commission.

25 (5) The applicant has agreed to teach full time for at least four  
26 consecutive academic years after obtaining a teaching credential  
27 in a public elementary or secondary school in this state, in a  
28 subject area that is designated as a current or projected shortage  
29 area by the Superintendent, or at a school that, at the time that the  
30 teacher is hired, meets any of the following criteria:

31 (A) It serves a large population of pupils from low-income  
32 families, as designated by the Superintendent.

33 (B) It has 20 percent or more teachers holding emergency  
34 permits. For purposes of this paragraph, “teachers holding  
35 emergency permits” includes persons who teach pursuant to  
36 waivers of credential requirements or who are interns.

37 (C) It is a high-priority school.

38 (c) No applicant who has completed fewer than 60 units, or the  
39 equivalent, shall be eligible under this section to participate in the  
40 loan assumption program set forth in this article.

(d) The agreements entered into each year pursuant to subdivision (b) at each eligible institution or participating school district or county office of education shall be with applicants who meet the criteria specified in paragraph (3) of subdivision (b) of Section 69612 or agree to teach in any of the subject areas listed pursuant to that section. An agreement shall remain valid even if the subject area under which an applicant becomes eligible to enter into an agreement ceases to be a designated shortage field by the time the applicant becomes a teacher.

(e) For purposes of calculating eligible years of teaching for the redemption of an award, the designation by the Superintendent of a newly-opened school pursuant to Section 52056 shall apply retroactively from the time of opening the school.

(f) A person participating in the program pursuant to this section shall not enter into more than one agreement.

SEC. 8. Section 70000 of the Education Code is amended to read:

70000. (a) The Governor's Teaching Fellowships Program is hereby established to be administered by the Student Aid Commission. The Student Aid Commission shall collaborate with the University of California, the California State University, the California Community Colleges, the Association of Independent California Colleges and Universities, the State Department of Education, and the Commission on Teacher Credentialing to ensure that access to the fellowships is available to students in a variety of teaching preparation programs.

(b) In January 2007, 250 nonrenewable graduate teaching fellowships in the amount of ~~twenty-five thousand dollars (\$25,000)~~ *twenty thousand dollars (\$20,000)* each shall be awarded as follows:

(1) ~~Nine thousand dollars (\$9,000)~~ *Eight thousand dollars (\$8,000)* shall be disbursed, pursuant to regulations established by the Student Aid Commission, to candidates who are enrolled in, and scheduled to complete, a teacher certification program at an accredited postsecondary educational institution in California.

(2) ~~Four thousand dollars (\$4,000)~~ *Three thousand dollars (\$3,000)* shall be disbursed in the first school year that the qualified teacher teaches in a high-priority school pursuant to subdivision (a) of Section 70003. ~~Five thousand dollars (\$5,000)~~

1 *Four thousand dollars (\$4,000)* shall be disbursed to the  
2 qualified teacher in the second school year, and ~~seven thousand~~  
3 ~~(\$7,000)~~ *five thousand dollars (\$5,000)* shall be disbursed in the  
4 third school year.

5 (3) Each annual stipend shall be disbursed pursuant to  
6 regulations established by the Student Aid Commission.

7 (c) During the 2007–08 fiscal year, ~~1,000~~ 500 nonrenewable,  
8 graduate teaching fellowships in the amount of ~~twenty-five~~  
9 ~~thousand dollars (\$25,000)~~ *twenty thousand dollars (\$20,000)*  
10 each shall be awarded and disbursed pursuant to subdivision (b).

11 (d) Commencing with the 2008–09 fiscal year and each fiscal  
12 year thereafter, the number of fellowships awarded shall be  
13 determined pursuant to an appropriation in the annual Budget Act  
14 for this purpose.

15 SEC. 9. Section 70001 of the Education Code is amended to  
16 read:

17 70001. (a) The Student Aid Commission shall have the  
18 following duties:

19 (1) Developing an application process that establishes a  
20 merit-based fellowship program for graduate students who agree  
21 to teach at a high-priority school for three years.

22 (2) Establishing a broad and effective outreach effort to  
23 promote the availability and the merits of the fellowship  
24 program.

25 (3) Conducting the selection process for fellowship applicants.

26 (4) Developing and implementing a system for disbursing  
27 annual stipends and monitoring program participants through the  
28 completion of their three-year teaching obligation.

29 (5) Determining the criteria for selecting teaching fellowship  
30 candidates. The criteria shall include, at a minimum, all of the  
31 following:

32 (A) Previous academic and employment record.

33 (B) A demonstrated commitment to serve in a high-priority  
34 school.

35 (C) Evaluations from faculty, employers, or both.

36 (D) Interviews.

37 (E) Letters of recommendation.

38 (b) For purposes of this article, a “high-priority school” is a  
39 school ranked in deciles 1 to 3, inclusive, of the Academic  
40 Performance Index (*API*) rankings established pursuant to

1 subdivision (a) of Section 52056. If a school meets this criteria at  
2 the time a teacher is hired, continued employment of the teacher  
3 at that school fulfills the commitment made by the teacher, even  
4 if the school improves its rank on the ~~Academic Performance~~  
5 ~~Index API~~.

6 ~~SEC. 10. Section 70002 of the Education Code is amended to~~  
7 ~~read:~~

8 ~~70002. (a) A review and selection committee shall be~~  
9 ~~established by each of the following educational entities that~~  
10 ~~maintain accredited teacher preparation programs:~~

11 ~~(1) The California State University.~~

12 ~~(2) The Association of Independent California Colleges and~~  
13 ~~Universities.~~

14 ~~(b) (1) The review and selection committees established~~  
15 ~~pursuant to subdivision (a), to the extent that a committee is~~  
16 ~~established for this purpose, shall include a committee~~  
17 ~~established by the University of California.~~

18 ~~(2) A University of California student shall not be eligible to~~  
19 ~~receive a nonrenewable graduate teaching fellowship pursuant to~~  
20 ~~this article unless the University of California establishes a~~  
21 ~~review and selection committee pursuant to subdivision (a).~~

22 ~~(c) Each committee shall consist of not less than two~~  
23 ~~university faculty members, one administrator from higher~~  
24 ~~education, one administrator and one elementary or secondary~~  
25 ~~teacher from a school maintaining kindergarten or any of grades~~  
26 ~~1 to 12, inclusive.~~

27 ~~(d) Each committee shall recommend teaching fellowship~~  
28 ~~candidates to the Student Aid Commission.~~

29 ~~SEC. 10. Section 70002 of the Education Code is amended to~~  
30 ~~read:~~

31 ~~70002. An intersegmental review committee is hereby~~  
32 ~~established to review all applications for the Governor's~~  
33 ~~Teaching Fellowships. The committee shall recommend teaching~~  
34 ~~fellowship candidates to the Chancellor's office of the California~~  
35 ~~State University Student Aid Commission. The committee shall~~  
36 ~~consist of 12 nine members, appointed by the Governor to a term~~  
37 ~~of four years, based on recommendations as follows:~~

38 ~~(a) The Chancellor of the California State University shall~~  
39 ~~recommend six three members. Two One shall be a faculty~~  
40 ~~members member. One shall be an administrator from either~~

1 higher education. ~~One shall be an administrator from a school or~~  
2 ~~schools~~ maintaining kindergarten or any of grades 1 to 12,  
3 inclusive. ~~Two~~ *One shall be teachers from schools a teacher from*  
4 *a school* maintaining kindergarten or any of grades 1 to 12,  
5 inclusive.

6 (b) The President of the University of California shall  
7 recommend three members. One shall be a faculty member. One  
8 shall be an administrator from either higher education or schools  
9 maintaining kindergarten or any of grades 1 to 12, inclusive. One  
10 shall be an elementary or secondary teacher.

11 (c) The Chair of the Association of Independent California  
12 Colleges and Universities shall recommend three members. One  
13 shall be a faculty member. One shall be an administrator from  
14 either higher education or schools maintaining kindergarten or  
15 any of grades 1 to 12, inclusive. One shall be an elementary or  
16 secondary teacher.

17 SEC. 11. Section 70003 of the Education Code is amended to  
18 read:

19 70003. (a) A fellowship recipient shall agree to teach in a  
20 high-priority school for three consecutive years and shall have  
21 four years, upon completion of his or her preparation program, to  
22 meet that obligation. A fellowship recipient shall forfeit future  
23 payments if he or she fails to complete any portion of his or her  
24 obligation to teach in a high-priority school for three consecutive  
25 years.

26 (b) Nonperformance of the commitment to teach in a  
27 high-priority school for three consecutive years shall be certified  
28 by the ~~Commission on Teacher Credentialing~~ to the Student Aid  
29 Commission.

30 SEC. 12. Section 70004 of the Education Code is amended to  
31 read:

32 70004. The Student Aid Commission shall provide an annual  
33 report to the Legislature on the number of fellows receiving  
34 funding, the number of fellows completing credential programs  
35 and their three-year teaching ~~obligation~~ *obligations*, the place of  
36 employment for each candidate, and anonymous evaluations by  
37 school principals of the effectiveness and impact *of fellows under*  
38 *their supervision* on pupils ~~by the fellows under their~~  
39 ~~supervision~~.

40 SEC. 13. Section 70005 of the Education Code is repealed.

1 SEC. 14. Article 5 (commencing with Section 90540) is  
2 added to Chapter 11 of Part 55 of the Education Code, to read:

3  
4 Article 5. California Teacher Cadet Program  
5

6 90540. The California Teacher Cadet Program is hereby  
7 established and shall be operated by the California Center on  
8 Teaching Careers in conjunction with the Superintendent of  
9 Public Instruction and the Chancellor of the California State  
10 University. The program is established for the purpose of  
11 introducing public secondary school pupils to the teaching  
12 profession. The main purpose of the program is to encourage  
13 high school pupils who possess a high level of academic  
14 achievement and the personality traits found in good teachers to  
15 consider a career in teaching.

16 90541. The California Center on Teaching Careers shall  
17 develop a grant program that assists school districts in offering  
18 yearlong coursework designed to expose pupils to teaching  
19 careers and the education system through the development of a  
20 hands-on curriculum that includes the following elements:

21 (a) Classroom discussions led by the supervising teacher at the  
22 high school.

23 (b) Hands-on activities designed to excite pupils about  
24 teaching.

25 (c) Observation and participation in public school classrooms.

26 (d) Interaction with successful administrators and teachers.

27 (e) Opportunities for high school pupils to participate in  
28 classrooms by tutoring, interning, and observing classroom  
29 teaching.

30 90542. A school district that participates in the California  
31 Teacher Cadet Program shall receive, from funds appropriated  
32 for that purpose, a one-time grant of up to five thousand dollars  
33 (\$5,000) for the startup of the program at its schoolsite that will  
34 fund the development of the curriculum, purchase of materials,  
35 and the development of tutoring, internship, and observation  
36 options for the high school pupils enrolled in the California  
37 Teacher Cadet Program.

38 90543. Subject to the availability of funding, the ~~Commission~~  
39 ~~on Teacher Credentialing~~ *California State University* shall  
40 contract for an evaluation of this program and shall report to the

1 Legislature no later than January 1, 2010. The evaluation should  
2 include interviews with program participants regarding their  
3 views on the value of the program and whether participation in  
4 the California Teacher Cadet Program has been instrumental in  
5 encouraging the selection of teaching as a major in college or as  
6 a career, and surveys of colleges and universities to determine  
7 whether there has been an increase in the number of pupils who  
8 have indicated an interest in preparing for a career in public  
9 education.

10 90544. This article shall remain in effect only until January 1,  
11 2015, and as of that date is repealed, unless a later enacted  
12 statute, that becomes operative on or before January 1, 2015,  
13 deletes or extends that date.

14 SEC. 15. (a) The sum of five hundred thousand dollars  
15 (\$500,000) is hereby appropriated from the General Fund for the  
16 2006–07 fiscal year to be allocated as follows:

17 (1) Twenty-five thousand dollars (\$25,000) to the State  
18 Department of Education for administrative costs associated with  
19 the allocation of startup grants to school districts for the  
20 California Teacher Cadet Program specified in Section 90540.

21 (2) Seventy-five thousand dollars (\$75,000) to the California  
22 State University for the California Center on Teaching Careers  
23 for program development assistance and outreach services related  
24 to the California Teacher Cadet Program.

25 (3) Four hundred thousand dollars (\$400,000) to the State  
26 Department of Education for allocation to school districts for the  
27 purposes associated with the startup costs of the California  
28 Teacher Cadet Program; in up to 100 schoolsites statewide.

29 (b) For purposes of making computations required by Section  
30 8 of Article XVI of the California Constitution, the appropriation  
31 made by paragraph (3) of subdivision (a) shall be deemed to be  
32 “General Fund revenues appropriated to school districts” as  
33 defined in subdivision (c) of Section 41202 of the Education  
34 Code for the 2006–07 fiscal year and be included within the  
35 “total allocations to school districts and community college  
36 districts from General Fund proceeds of taxes appropriated  
37 pursuant to Article XIII B” as defined in subdivision (e) of  
38 Section 41202 of the Education Code for the 2006–07 fiscal year.

O